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Practitioner's Docket No. NAI1P445/00.174.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Matthew T. Hart

Application No.: 09/785,240

Group No.: 2145

Filed: February 20, 2001

Examiner: Choudhury, A.

For: UNWANTED E-MAIL FILTERING SYSTEM INCLUDING VOTING FEEDBACK

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed January 3, 2006, for a second time rejecting claims 9-11, 21-23, 33-35 and 37-43.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

05/05/2006 SDENB0B1 00000059 501351 09785240

01 FC:1401 500.00 DA

05/05/2006 SDENB0B1 00000059 501351 09785240

02 FC:1251 120.00 DA

CERTIFICATION UNDER 37 C.F.R. ' 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

with sufficient postage as first class mail.

37 C.F.R. § 1.10*

as "Express Mail Post Office to Addressee"

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TRANSMISSION

✓ facsimile transmitted to the Patent and Trademark Office, (571) 273 -8300.

Date:

5/3/2006

Signature

Erica L. Farlow

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

| | |
|---------------------------|----------|
| Other than a small entity | \$500.00 |
| Notice of Appeal fee due | \$500.00 |

3. EXTENSION OF TERM

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

| | |
|-----|----------|
| Fee | \$120.00 |
|-----|----------|

If an additional extension of time is required, please consider this a petition therefor.

4. TOTAL FEE DUE

| | |
|-----------------------|-----------------|
| The total fee due is: | |
| Notice of Appeal fee | \$500.00 |
| Extension fee | \$120.00 |
| TOTAL FEE DUE | \$620.00 |

5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$620.00 to Deposit Account No. 50-1351 (Order No. NA11P445).

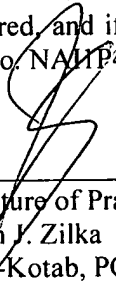
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. NA11P445).

Reg. No.: 41,429
Tel. No.: 408-971-2573
Customer No.: 28875



Signature of Practitioner
Kevin J. Zilka
Zilka-Kotab, PC
P.O. Box 721120
San Jose, CA 95172-1120
USA